

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ire Application of: Fish, et al.

erial No: 10/029,132

iled: December 20, 2001

onfirmation No: 2724

itle: Disposable Shoe Liner



Group Art Unit: 1772

Examiner: Donald Loney

Our Client ID: 22827

Our Account No: 04-1403

Commissioner for Patents
U.S. Patent and Trademark Office
Post Office Box 1450
Alexandria, VA 22313-1450

AMENDMENT

This is a response/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated herein by reference and the signature below is to be treated as the signature to the attachment in the absence of a signature thereto.

Fee requirements (if any) have been calculated as shown below:

	Claims remaining after amendment	Highest number previously paid for	Present Extra		Additional Fee
Total Effective Claims	29	minus 26	= 3	X \$18 =	\$ 54.00
dependent Claims	4	minus 3	= 1	x \$86 =	\$ 86.00
amendment enters <u>proper</u> multiple dependent claim(s) into this application for <u>first</u> time, add \$90.00 (per application)					\$ 0.00
Office Official Action set an <u>original</u> due date of <u>N/A</u>					\$ 0.00
EXTENSION is hereby made for an extension to cover the date this response is filed for which the requisite fee is enclosed (1 month \$110; 2 months \$420; 3 months \$950; 4 months \$1480)					\$ 0.00
Terminal Disclaimer enclosed, add Rule 20(d) Official Fee (\$110.00)					\$ 0.00
SUBTOTAL:					\$ 140.00
"small entity" verified statement filed [] previously, [] herewith, enter one-half (1/2) of subtotal and <u>subtract</u>					\$ 0.00
TOTAL:					\$ 140.00
her: <u>Copy of Terminal Disclaimer pursuant to 37 C.F.R. §1.321(e):</u>					\$ 0.00
<u>Copy of Certificate under 37 C.F.R. §3.73: Copy of Postcard date stamped by PTO</u>					\$ 0.00
TOTAL FEE ENCLOSED:					\$ 140.00

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading thereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the due fee in this case.

ADDRESS:

Post Office Box 1449
Columbia, SC 29602 USA
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DORITY & MANNING; ATTORNEYS AT LAW, P.A.

By: Jason W. Johnston Reg. No: 45,675 Date: August 17, 2004

Signature: [Signature]

I hereby certify that this correspondence and any referenced attachment and fee are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, Post Office Box 1450, Alexandria, VA 22313-1450, on August 17, 2004.

Lynn Watkins

(Typed or printed name of person mailing paper or fee)

[Signature]
(Signature of person mailing paper or fee)

09/09/2004 KBUTLER 00000005 041403 10029132

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**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)

KCX-425 (15963)

In re Application of: Fish, et al.

Application No.: 10/029,132

Filed: December 20, 2001

For: Disposable Shoe Liner

The owner*, ~~Kimberly-Clark Worldwide, Inc.~~, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/027,767, filed on 12/20/01, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

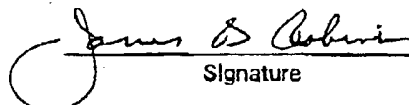
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. ☒ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☐ The undersigned is an attorney or agent of record.



Signature

2/17/04
Date

James B. Robinson

Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.